## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

| JAMES McINTYRE,  | ) |                          |
|------------------|---|--------------------------|
| Petitioner,      | ) |                          |
| V.               | ) | CASE NO. 2:16-CV-493-WKW |
| UNITED STATES OF | ) | [WO]                     |
| AMERICA,         | ) |                          |
| D                | ) |                          |
| Respondent.      | ) |                          |

## **ORDER**

On July 16, 2018, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 16.) Upon an independent review of the record and upon consideration of the Recommendation, it is ORDERED that the Recommendation is ADOPTED. Accordingly, it is ORDERED that Petitioner's 28 U.S.C. § 2255 motion is DENIED and that this action is DISMISSED without prejudice.

A final judgment will be entered separately.

DONE this 6<sup>th</sup> day of August, 2018.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE